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**IN THE UNITED STATES DISTRICT COURT FOR THE STATE OF UTAH  
CENTRAL DIVISION**

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FINGER LICKIN' BRANDS, LLC dba  
DICKEY'S BARBECUE PIT OF UTAH,

Plaintiffs,

v.

US FOODS, INC., a Delaware corporation,  
and ECOLAB, INC., a Delaware corporation,

Defendants.

US FOODS, INC., a Delaware corporation,

Third-Party Plaintiff

v.

DICKEY'S BARBECUE RESTAURANTS,  
INC., a Texas corporation, and DOES 1-10,

Third-Party Defendants.

**STIPULATED ORDER GRANTING  
JOINT MOTION TO DISMISS WITH  
PREJUDICE PLAINTIFF FINGER  
LICKIN' BRANDS, LLC'S CLAIMS  
AGAINST US FOODS, INC. AND  
THIRD-PARTY PLAINTIFF US FOODS,  
INC.'S CLAIMS AGAINST DICKEY'S  
BARBECUE RESTAURANTS, INC.**

Case No. 2:16-cv-00745-CW

Judge Clark Waddoups

Magistrate Judge Paul M. Warner

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Based upon the Joint and Stipulated Motion to Dismiss With Prejudice Plaintiff Finger Lickin' Brands, LLC's Claims Against US Foods, Inc. and Third-Party Plaintiff US Foods, Inc.'s Claims Against Dickey's Barbecue Restaurants, Inc., and good cause appearing,

IT IS HEREBY ORDERED as follows:

1. The Motion to Dismiss With Prejudice Plaintiff Finger Lickin' Brands, LLC's ("Plaintiff") claims against US Foods, Inc. ("US Foods") and Third-Party Plaintiff US Foods, Inc.'s claims against Dickey's Barbecue Restaurants, Inc. ("Dickey's") is granted;

2. Plaintiff's claims and causes of action asserted in this case against US Foods,

along with all claims and causes of action that Plaintiff could have asserted against US Foods herein, are dismissed with prejudice and upon the merits;

3. US Foods' claims and causes of action asserted in the third-party action herein against Dickey's, along with all claims and causes of action that US Foods could have asserted against Dickey's herein, are dismissed with prejudice and upon the merits; and,

4. Plaintiff, US Foods, and Dickey's shall not recover any of their fees, costs, or expenses associated with this litigation from each other.

DATED this 27th day of June, 2017.

By the court:

A handwritten signature in black ink, appearing to read "Clark Waddoups", is written over a horizontal line.

Clark Waddoups  
United States District Judge